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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BONNIE SWADLING,

Plaintiff,

vs.

**STATE OF NEVADA DEPARTMENT
OF CORRECTIONS,**

Defendants.

Case No. 2:15-CV-1588-APG-PAL

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO RESPOND TO THE MOTION TO DISMISS**

(FIRST REQUEST)

Pursuant to Federal Rule of Civil Procedure ("FRCP") 6(b)(1)(B), Plaintiff respectfully requests that the Court extend by 23-days, or until December 7, 2015, the time within which Plaintiff must respond to the motion to dismiss filed by Defendant (Pacer #11). Plaintiff's response was due on November 14, 2015. This is Plaintiff's first request for extension of time for the purpose set forth herein. Counsel for Defendant has indicated that he does not oppose this motion.

In support of this motion, Plaintiff relies upon the memorandum of points and authorities set forth below.

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MEMORANDUM OF POINTS AND AUTHORITIES

Federal Rule of Civil Procedure 6(b)(1)(B) permits a party to extend a deadline after its expiration upon a showing of “excusable neglect.”

Here, undersigned counsel’s office mistakenly calendared the response date for responding to Defendant’s dispositive motion as December 14, 2015, one month past the actual deadline. This was the result of an inadvertent clerical error on the part of undersigned counsel’s office. Upon discovery of this mistake, undersigned counsel’s office contacted opposing counsel, Brandon Price, Esq., who has indicated that he does not oppose this request. Undersigned counsel apologizes to the Court and opposing counsel for any inconvenience occasioned by this request.

CONCLUSION

Plaintiff, by and through counsel, respectfully requests that the Court grant this motion for extension of time.

Respectfully submitted,

/s/ Ruth L. Cohen

Ruth L. Cohen, Esq.

Attorney for Plaintiff

Dated: December 3, 2015

IT IS SO ORDERED:

Plaintiff’s motion for extension of time to respond to Defendant’s motion to dismiss is hereby granted. Plaintiff shall file a response on or before December 7, 2015.



UNITED STATES DISTRICT JUDGE

Dated: December 3, 2015.